

## STATEMENT OF CLAIM

THIS STATEMENT OF CLAIM WHICH I HAVE NOW FILED WILL EXPLAIN THE SUICIDE WATCH FOR THE MOST PART TO THE DEGREE YOU NEED TO KNOW EXCEPT THE FOLLOWING. THEY CAME AND TOOK MY CLOTHES JUST BEFORE THE 6 O'CLOCK NEWS, IN WHICH SHERIFF B.J. BARNES WAS Aired AS SAYING THAT I WAS HAVING SEXUAL ORGIES IN THE GUILFORD COUNTY JAIL WITH JANET SMITH. HE FURTHER CLAIMED TO HAVE EVIDENTS WHICH HAS NEVER BEEN PRODUCED BECAUSE WE NEVER HAD SEX OF ANY KIND! HE TOTALLY DESTROYED MY LIFE WITH THOUGH'S LIE. IT DESTROYED MY MARRAGE AND RELATIONSHIP WITH MY INLAWS, IT DESTROYED FRIENDSHIPS FOR ME AND MY FAMILY, IT DESTROYED MY CREDIBILITY AND CHARACTER, BEFORE AND DURING MY TRIAL. TO THIS DAY I CRY FROM THE ANZITY THAT IT HAS CAUSED ME. ESPECIALLY THE LOSS OF MY MARRAGE!!! IF THEY HAD KEPT JANET AWAY FROM ME AND NEVER PASSED LETTERS TO ME FROM HER WHEN SHE PASSED THE FIRST TWO I WOULD STILL BE MARRIED TODAY AND MOST LIKELY WOULD NOT BE IN PRISON!

THE STAFF PSYCHOLOGIST AGREED THAT THE S.WATCH WAS HARRASSMENT AND TOLD ME TO BARE WITH IT. SHE SAID ALL SHE COULD DO WAS RECOMMEND THAT THEY TAKE ME OFF.

## Statement of Claim

On November 19, 1997 the Plaintiff was incarcerated in the Guilford County Jail in Greensboro N.C.. On this date a search was conducted of the Plaintiff's cell by Guilford County Deputy Sheriffs. During the course of the search the Deputy Sheriffs found letters of an explicit sexual nature written to the Plaintiff from Deputy Sheriff, Janet Smith.

The letters were seized by the Deputy Sheriffs who conducted the search, and subsequently Deputy Sheriff, Janet Smith was terminated from her employment as a Guilford County Deputy Sheriff.

Then on or about December 3, 1997, with no justification or provocation, Captain Roach, Officer Moore, Officer Fester, and an unidentified Sergeant, hereafter referred to as Sgt John Doe came to the Plaintiff's cell. Sgt John Doe, Officer Moore, and Officer Fester, under the supervision of Captain Roach told the Plaintiff to strip. Upon the Plaintiff taking off his clothes the officers under Captain Roach's supervision began taking all the Plaintiff's clothing and personal property. The Plaintiff was left with nothing but a mattress, blanket, and a thin paper gown.

When the Plaintiff asked Captain Roach why the officers were taking all his clothes and property, Captain Roach replied, "Per orders of Sheriff B.T. Barnes you are being placed on suicide watch."

When the Plaintiff asked Captain Roach why he was being placed on suicide watch, Captain Roach replied, "you know why, it has something to do with your relationship with Janet Smith".

The Plaintiff remained on suicide watch in the Guilford County Jail for two weeks, from December 3 until December 17, 1997, with nothing but a mattress, blanket and paper gown. The Plaintiff never gave jail officials any reason to lawfully place him on suicide watch, nor did he ever make a suggestion to give anyone any inclination that he was suicidal.

For the two weeks the Plaintiff was placed on suicide watch, the Plaintiff suffered numerous humiliations and embarrassments. The Plaintiff was denied visits with his family and friends, mail privileges and proper exercise due to a lack of clothing.

The most inhumane torture the Plaintiff was made to suffer was the freezing temperatures. It was the month of December, and that combined with the

antiquated and failing heating system of the Guilford County Jail in Greensboro made for very cold temperatures which left the Plaintiff sitting on his mattress wrapped in a blanket and shivering. On many occasions the Plaintiff pleaded with jail officials for clothing or another blanket. All of the Plaintiff's pleas were ignored.

On or about December 10, 1997 while on suicide watch the Plaintiff was visited for the first and only time by the Guilford County staff psychologist. The staff psychologist stated to the Plaintiff that she did not feel the Plaintiff was suicidal and that she would <sup>recommend to</sup> try to persuade jail officials to remove the Plaintiff from the suicide watch status. However, the Plaintiff was still not removed from the suicide watch status, or given any clothing or property until on or about December 17, 1997.

It is the Plaintiff's allegation that Captain Roach, Sgt. John Doe, Officer Moore and Officer Fester, along with other Guilford County Jail Administrators seized all the Plaintiff's clothing and property, placed and kept the Plaintiff on suicide watch under the direct orders of Sheriff, B.J. Barnes. That Sheriff,

B.I. Barnes gave the Guilford County Jail Administration officials the order to place and keep the Plaintiff on suicide watch<sup>?? or approved the order ??</sup> as a means of punishment for his correspondance, fraternization, and communication with Deputy Sheriff Janet Smith,

This suicide watch punishment was imposed on a whim of Sheriff B.I. Barnes and in violation of the Plaintiff's right to be free from cruel and unusual punishment protected by the Eighth Amendment of the U.S. Constitution, and the Plaintiff's rights of Due Process protected by the Fourteenth Amendment of the U.S. Constitution.

All of the foregoing Defendants were acting under the color of state law at all times pertinent to this complaint.

### Request For Relief

A. A Jury Trial,

B. ~~Ten Thousand Dollars punitive damages from each named defendant.~~

C. ~~Fifty Thousand Dollars compensatory damages.~~

D. <sup>OK</sup> Any and all other relief this could deem necessary.

B.J. Barnes gave the Guilford County Jail Administration officials the order to place and keep the Plaintiff on suicide watch as a means of punishment for his correspondance, fraternization, and communication with Deputy Sheriff Janet Smith,

The placement of the Plaintiff on suicide watch, and subjecting the Plaintiff to freezing temperatures as punishment could be compared the experimentation that Hitler conducted on Russian soldiers during World War II in Hitler's attempt to understand why Russian soldiers could withstand the cold better than German soldiers

## CRUEL AND UNUSUAL PUNISHMENTS

I WAS KEPT ON SEG. FOR REASON OF HIGH PROFILE CASE.

I WAS LOCKED DOWN 23 HOURS A DAY WITH ONE HOUR <sup>IN</sup> THE DAY ROOM TO SHOWER AND USE THE PHONE. I WAS EXPECTED TO BE ABLE TO EXERCISE WITHIN THAT HOUR AS WELL. THAT WAS WHAT I WAS TOLD AFTER REQUESTING REG. TIME. I HAD TO LIVE THIS WAY WITHOUT REG. TIME INSIDE OR OUT FOR A YEAR AND A HALF.

I WAS EVEN LET OUT LATE FOR MY HOUR OUT ON A REGULAR BASIS. WHEN OFF. TURNER WORK OUR FLOOR HE WOULD ALWAYS LET ME OUT LATE INTENTIONALLY TO HARASS ME. HE WOULD ALSO WAIT TO TURN THE 'HONES ON UNTILL I KNOCKED ON THE DOOR AND ASKED HIM TO.

HE MADE A COMMENT TO ME ONE DAY, "NO WHITE MAN IS GOING TO TELL ME WHAT TO DO." I CAN NOT REMEMBER AT ~~WHEN I COMPAIGNED TO THIS TIME~~

WHEN OR WHY OFF. TURNER MADE THIS COMMENT. THIS SAME OFF. MADE MADE A COMMENT TO THE INMATES IN THE 4 MAN BELL IN 4D, "IF AN INMATE EVER ASSALTED ME, I WOULD GO OUT TO MY JEEP AND GET MY 9MM, COME BACK IN BUST THE DOOR AND SHOOT THEM."

MOST OF THE OFFICERS REFERED TO SERVING OUR MEALS AS FEEDING AS THOUGH WE WERE ANIMALS.

I REGULARLY FOUND HAIR IN MY FOOD.

- WAS NEVER SERVED ENOUGH FOOD.

~~THE~~ I FOWND ROACHES IN MY CELL ON SEVERAL OCCATIONS AS WELL AS IN THE DAY ROOM.

THE OFFICERS NEVER CLEANED THE CELLS BEFORE PLACING ANOTHER INMATE IN THEM.

WE WERE GIVEN DIRTY MATTRESSES. MOST OF THEM WERE WORN OUT AND FLIPPED. MY MATTRESS WAS SO THIN THAT IT WAS LEVEL WITH THE 2 IN ANGLE IRON THAT FRAMED THE BED. THERE WAS NO STORAGE SPACE EXCEPT A 14 GAL RUBBERMADE BOX, FOR PERSONAL BELONGINGS.

WE WERE NOT GIVEN PILLOWS

~~I WAS PLACED ON SUICIDE WATCH~~ THERE WAS NO CHAIR OR DESK IN THE ROOM. THE CELLS WERE NOT ADEQUATELY HEATED IN THE WINTER TIME THE ONLY CLOTHING WE WERE GIVEN WAS 2 JUMPSUITS BEYOND THAT, WE WERE GIVEN 2 SHEETS, A BLANKET THAT WAS TOO SHORT, A TOWEL AND A WASHCLOTH.

I WAS PLACED ON SUICIDE WATCH <sup>THREE</sup> TWICE. I BELIEVE BOTH TIMES WERE HARRASSMENT BUT I'M ONLY CERTAIN THAT THE SECOND TIME WAS. ALTHOUGH THEY COULD NOT EXPLAIN TO ME WHO PUT ME ON S. WATCH THE FIRST TIME OR WHY. WHILE ON S. WATCH THEY TAKE EVERYTHING FROM YOU EXCEPT A BLANKET AND MATTRESS. YOU ARE KEPT IN THE SAME CELL AND THE GUARDS ARE SUPPOSE TO CHECK ON YOU EVERY 15 MIN. THE FIRST TIME I WAS ON WATCH ~~SOME~~ GUARDS CHECK REGULARLY BUT NONE MADE THEIR ROUNDS THE WAY THEY WERE SUPPOSE TO. THE SECOND TIME

I ASKED WHAT MY RIGHTS WERE AS A PRETRIAL DETAINEE, NEITHER THE JAILOR THEY REFUSED TO LET ME GO TO THE LAW LIBRARY. <sup>MY LAWYER WOULD TELL ME</sup>